

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
March 8, 2010

- D056882 Coward v. The Superior Court of San Diego County/People**
The petition is denied.
- D056802 San Diego County Health and Human Services Agency et al. v. The Superior Court of San Diego County/William A.**
The petition is denied.
- D056782 In re Ames on Habeas Corpus**
The petition is denied.
- D056593 Cynthia J. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
No timely petition for writ relief has been filed. The notice of intent is deemed to be abandoned. The case is dismissed.
- D056664 Brenda M. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
The attorney for petitioner Brenda M. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.
- D054887 People v. Corona**
The order revoking Corona's probation is affirmed.
O'Rourke, J.; We Concur: Benke, Acting P.J., McDonald, J.
- D054943 People v. Tidwell**
Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2).)
- D056608 Sabadicci et al. v. Superior Court of San Diego County/Priest et al.**
The petition is denied.

Court convened at 9:00 a.m.

Present: The Honorable Patricia Benke, Acting Presiding Justice, and
 The Honorable Associate Justices James McIntyre and Joan Irion
Clerk: D. Moore

- D054532 Leach v. Kleveland**
Cause called on merits. Boris Siegel, Esq. argued for appellant.
Gregory S. Day, Esq. argued for respondent. Mr. Siegel replied. Cause submitted.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 8, 2010 (Continued)

D055681 People v. Luera, Jr. et al.

Cause called on merits. Frederick McBride, Esq. argued for appellant. Barry Jay Carlton, Deputy Attorney General, argued for respondent. Mr. McBride replied. Cause submitted.

Court recessed at 9:56 a.m. to change panel members.

New panel members: The Honorable Patricia Benke, Acting Presiding Justice, and
 The Honorable Associate Justices James McIntyre and Joan Irion

D055238 In re Z.L., a Juvenile

Cause called on merits. Joseph T. Tavano, Esq. argued for appellant, T.P. Lelah Selene Forrey-Baker, Esq. argued for appellant, Z.L. Katharine Bird, Deputy County Counsel, argued for respondent. Mr. Tavano replied. Ms. Forrey-Baker replied. Cause submitted.

D055310 City of Santee v. County of San Diego et al.

Cause called on merits. Michelle Quellette, Esq. argued for appellant. C. Ellen Pilsecker, Deputy County Counsel, argued for respondent, County. David Ram Elias Aladjem, Esq. argued for real party in interest and respondent, State. Ms. Quellette replied. Cause submitted.

Court recessed at 11:40 a.m. until 1:30 p.m.

Court reconvened at 1:30 p.m.

Present: The Honorable Patricia Benke, Acting Presiding Justice, and
 The Honorable Associate Justices Gilbert Nares and James McIntyre

Clerk: D. Moore

D052067 Preferred Western Collection, Inc. v. Upper Group, Inc., et al.

Cause called on merits. James A. D'Ambrosio, Esq. argued for appellant. Jan K. Buddingh, Esq. argued for respondent. Mr. D'Ambrosio replied. Cause submitted.

D053340 People v. Throop

Cause called on merits. Robert E. Boyce, Esq. argued for appellant. Lilia Garcia, Deputy County Counsel, argued for respondent. Mr. Boyce replied. Cause submitted.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 8, 2010 (Continued)

D054968 Ledcor Builders, Inc. v. Janez Development, LLC

Cause called on merits. Mathieu G. Blackston, Esq. argued for appellant.
Matthew Holder, Esq. argued for respondent. Mr. Blackston replied.
Cause submitted.

D054550 Villa Vicenza Homeowners Association v. Nobel Court Development, LLC

Cause called on merits. Charles A. Bird, Esq. argued for appellant.
Anne L. Rauch, Esq. argued for respondent. Mr. Bird replied. Cause submitted.

Court recessed at 2:57 p.m. until Tuesday, March 9, 2010 at 9:00 a.m.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
March 9, 2010

- D055982 In re D.C.S. et al., Minors**
The order is affirmed. McConnell, P.J.; We Concur: Nares, J., O'Rourke, J.
- D056845 In re Freeman on Habeas Corpus**
The petition is denied.
- D055384 People v. Aguirre**
The judgment is affirmed.
Aaron, J.; We Concur: McDonald, Acting P.J., McIntyre, J.
- D055167 In re Batie on Habeas Corpus**
The motion to amend the petition and the petition for writ of habeas corpus are denied. Huffman, Acting P.J.; I Concur: Irion, J., I Dissent: McIntyre, J.
- D054366 Siller et al. v. Option One Mortgage Corporation**
The judgment is reversed and the matter is remanded with directions that the trial court vacate its October 29, 2008, order to the extent it granted Lender's motion for summary judgment and enter a new order denying Lender's motion for summary judgment but granting Lender's alternative motion for summary adjudication of all of the Sillers' causes of action except for their Financial Code section 50505 cause of action based solely on Lender's failure to provide Maria with the information booklet and GFE required by RESPA (12 U.S.C. § 2604). The parties shall bear their own costs on appeal.
McDonald, Acting P.J.; We Concur: O'Rourke, J., Irion, J.
- D053543 People v. Lopez**
The judgment is affirmed.
McDonald, J.; We Concur: Huffman, Acting P.J., Haller, J.
- D055590 Sussman v. Sani et al.**
Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 8.220(a). The appeal is dismissed.

Court convened at 9:00 a.m.

Present: The Honorable Judith McConnell, Presiding Justice, and
 The Honorable Associate Justices Richard Huffman and Cynthia Aaron
Clerk: D. Moore

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 9, 2010 (Continued)

D054446 Padilla v. State Personnel Board

Cause called on merits. Daniel Shervin Kodam, Esq. argued for appellant. Christine Blubaugh Mersten, Deputy Attorney General, argued for respondent. Mr. Kodam replied. Cause submitted.

D054699 Arterberry v. County of San Diego et al.

Cause called on merits. Aparna Sridhar, Esq. argued for appellant. Thomas Dale Bunton, Deputy County Counsel, argued for respondent. Ms. Sridhar replied. Cause submitted.

D055202 Leader et al. v. Cords

Cause called on merits. Stephen A. Bond, Esq. argued for appellant. Jerry D. Cluff, Esq. argued for respondent. Mr. Bond replied. Cause submitted.

Court recessed at 10:10 a.m. to change panel members.

New panel members: The Honorable Judith McConnell, Presiding Justice, and
 The Honorable Associate Justices Cynthia Aaron and Joan Irion

D055583 Composite Technology Corporation v. Brittsan

Cause called on merits. Vincent Joseph Russo, Esq. argued for appellant. Lee Katherine Goldstein, Esq. argued for respondent. Mr. Russo replied. Cause submitted.

Court recessed at 10:38 a.m. until 1:30 p.m.

Court reconvened at 1:30 p.m.

Present: The Honorable Judith Haller, Acting Presiding Justice, and
 The Honorable Associate Justices James McIntyre and Cynthia Aaron

Clerk: D. Moore

D055879 United Enterprises, Inc., et al. v. Superior Court/Royal Indemnity Company

Matter called on merits. Charles Jerome Wisch, Esq. argued for petitioner. Susan Jacqueline Field, Esq. argued for real party in interest. Barbara Suzanne Farley, Esq. was present in oral argument for petitioner, but did not argue. Mr. Wisch replied. Matter submitted.

D055459 Intergulf Development v. Superior Court/Interstate Fire & Casualty Company

Matter called on merits. Valentine S. Hoy, Esq. argued for petitioner. Jerome Mark Jackson, Esq. argued for real party in interest. Mr. Hoy replied. Matter submitted.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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DIVISION ONE
March 9, 2010 (Continued)

Court recessed at 2:26 p.m. until Wednesday, March 10, 2010 at 9:00 a.m.

D056710 Estate of O'Rourke, Deceased

Pursuant to California Rules of Court, rule 8.140, the appeal filed January 22, 2010, is dismissed for appellant's failure to timely designate the record (Cal. Rules of Court, rule 8.121(a)).

D056897 Employers Insurance Company of Wausau v. Superior Court of San Diego County/Rick Concrete Construction Inc.

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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D053945 People v. Carradine

The blind victim enhancement finding under section 667.9, subdivision (a), is reversed and the matter is remanded to the superior court to amend the abstract of judgment and to forward a copy of the amended abstract of judgment to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed. McConnell, P.J.; We Concur: Benke, J., Irion, J.

D055457 Williams v. Superior Court of San Diego County/People

Let a peremptory writ of mandate issue directing the trial court to (1) vacate the part of its April 21, 2008 order in which it denied Williams's request to remove his name from the sex offender registry and (2) notify the Department of Justice, Sex Offender Registry Unit, that his name be removed from the registry. McIntyre, J.; We Concur: McConnell, P.J., Aaron, J.

D056763 L.W. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner L.W. has notified the court that a petition for writ of mandate under California Rules of Court, rules 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

D056787 Angela V. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Angela V. has notified the court that a petition for writ of mandate under California Rules of Court, rules 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

D056931 In re Hawkins on Habeas Corpus

The denial of a petition for writ of habeas corpus is not appealable. The appeal is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 10, 2010 (Continued)

D056910 Medina v. Medina

The notice of appeal and Appellate Division order have been read and considered by Presiding Justice McConnell and Associate Justices McDonald and McIntyre. Appellant seeks review of the January 15, 2010, order of the San Diego Superior Court Appellate Division affirming a judgment in a limited civil case [unlawful detainer.] Decisions of the appellate division are reviewable in the Court of Appeal only by way of certification and transfer. (Cal. Rules of Court, rule 8.1000 et seq.) This matter has not been certified to the Court of Appeal. The appeal filed on February 24, 2010, is dismissed.

D053768 La Jolla Cove Motel and Hotel Apartments, Inc., et al. v. Jackman, Jr. et al.
D053853 Jackman, Jr. et al. v. Baroudi et al.

(Consolidated) Upon the above request, and good cause appearing, pursuant to stipulation, the appeal is dismissed without costs to either party. Remittitur to issue forthwith.

D055958 In re Peter C. et al., Juveniles

The appeal is dismissed. McConnell, P.J.; We Concur: Benke, J., Huffman, J.

D055480 In re Joseph R. et al., Juveniles

The orders are affirmed. Benke, Acting P.J.; We Concur: Huffman, J., O'Rourke, J.

D054944 People v. Ruiz

It is ordered that the opinion filed herein on February 25, 2010, be modified to delete the last sentence on page 13 which reads: "The prosecution did not argue that the circumstances were insufficient to provoke a reasonable person." The petition for rehearing is denied.

D056927 People v. Ewing

The notice of appeal is premature because no appealable order or judgment has yet been entered. The appeal is dismissed without prejudice to refiling a notice of appeal after an appealable order or judgment has been entered.

Court convened at 9:00 a.m.

Present: The Honorable Judith McConnell, Presiding Justice, and
 The Honorable Associate Justices Judith Haller and Cynthia Aaron
Clerk: D. Moore

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 10, 2010 (Continued)

D055186 In re Christopher A., a Juvenile

D055831 In re Christopher A. on Habeas Corpus

Cause called on merits. William Johnson, Deputy County Counsel, argued for respondent. Suzanne Miu Davidson, Esq. argued for appellant. Cause submitted as to appeal only, D055186.

D054790 People v. McKinney

D056022 In re McKinney on Habeas Corpus

Cause called on merits. Patrick Morgan Ford, Esq. argued for appellant. Scott Taylor, Deputy Attorney General, argued for respondent. Mr. Ford replied. Cause submitted as to appeal only, D054790.

Court recessed at 9:46 a.m. to change panel members.

New panel members: The Honorable Judith McConnell, Presiding Justice, and
 The Honorable Associate Justices Richard Huffman and Cynthia Aaron

D055228 Salenga v. Mitsubishi Motors Credit of America, Inc., et al.

Cause called on merits. Carol McLean Brewer, Esq. argued for appellant. Jan Chilton, Esq. argued for respondent. Cause submitted.

D055051 In re A.V., a Juvenile

Cause called on merits. Faryar F. Farmani, Esq. argued for appellant. Ronald Alan Jakob, Deputy Attorney General, argued for respondent. Mr. Farmani replied. Cause submitted.

Court recessed at 10:20 a.m. until 1:30 p.m.

Court reconvened at 1:30 p.m.

Present: The Honorable Judith McConnell, Presiding Justice, and
 The Honorable Associate Justices Gilbert Nares and Joan Irion

Clerk: D. Moore

D054261 Durrell v. Sharp Healthcare

Cause called on merits. Joseph Darrell Palmer, Esq. argued for appellant. John Morris, Esq. argued for respondent. Mr. Palmer replied. Cause submitted.

D054637 Hale et al. v. Sharp Healthcare

Cause called on merits. Gretchen Carpenter, Esq. argued or appellant. John Morris, Esq. argued for respondent. Ms. Carpenter replied. Cause submitted.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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March 10, 2010 (Continued)

Court recessed at 2:13 p.m. to change panel members.

New panel members: The Honorable Judith McConnell, Presiding Justice, and
The Honorable Associate Justices Richard Huffman and Joan Irion

D055148 In re S.A., a Juvenile

Cause called on merits. Rich Pfeiffer, Esq. argued for appellant.
Valerie Lankford, Esq. argued for the minor. Gary Seiser, Deputy County Counsel,
argued for respondent. Mr. Pfeiffer replied. Cause submitted.

Court recessed at 2:43 p.m. to change panel members.

New panel members: The Honorable Judith McConnell, Presiding Justice, and
The Honorable Associate Justices Richard Huffman and Gilbert Nares

D055199 McGuigan v. City of San Diego

Cause called on merits. Michael A. Conger, Esq. was present in oral argument, but
did not argue. Richard H. Benes, Esq. argued for the appellant. Walter Chung,
Deputy City Attorney, argued for respondent. Mr. Benes replied. Cause submitted.

Court recessed at 3:18 p.m. to change panel members.

New panel members: The Honorable Gilbert Nares, Acting Presiding Justice, and
The Honorable Associate Justices Cynthia Aaron and Joan Irion

D054288 Mummy v. Jacobson

Cause called on merits. B. James Brierton, Esq. argued for appellant.
Jenny K. Goodman, Esq. argued for respondent. Mr. Brierton replied.
Cause submitted.

Court recessed at 3:54 p.m. until Thursday, March 11, 2010 at 9:00 a.m.

D056607 San Diego Wholesale Credit Association v. Europena Natural Stone Company, Inc.

Pursuant to California Rules of Court, rule 8.140, the appeal filed December 21,
2009, is dismissed for appellant's failure to timely designate the record (Cal. Rules
of Court, rule 8.121(a)).

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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DIVISION ONE
March 11, 2010

- D056169 In re Q.M., a Juvenile**
D056187 In re L.A., a Juvenile
Appellant Quinn M.'s unopposed motion to consolidate the above-entitled appeals is granted. All documents will be filed under D056169.
- D055454 In re Andres C. et al., Juveniles**
The orders are affirmed. McDonald, J.; We Concur: McConnell, P.J., Haller, J.
- D055809 In re S.A., a Juvenile**
The judgment is affirmed. Irion, J.; We Concur: Nares, Acting P.J., McDonald, J.
- D053828 Linear Electric, Inc. v. Moorefield Construction, Inc.**
The judgment is affirmed. Each party shall bear its own costs on appeal. McDonald, J.; We Concur: Benke, Acting P.J., O'Rourke, J.
- D054497 People v. Diaz**
The trial court is directed to modify the sentencing order to reflect that the full consecutive term imposed on Diaz's conviction for assault with intent to commit rape (count 1) is deemed to have been imposed under section 667.6, subdivision (c), and the full consecutive term imposed on Diaz's conviction for assault by means likely to produce great bodily injury (count 3) is deemed to have been imposed under section 1170.1, subdivision (a). As modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment reflecting the modified basis for the sentence and to forward copies of the amended abstract to the Department of Corrections. Irion, J.; We Concur: Benke, Acting P.J., McIntyre, J.
- D054773 People v. Nunez**
The judgment is affirmed. Huffman, J.; We Concur: Benke, Acting P.J., Aaron, J.
- D055121 People v. Hill**
The trial court is directed to modify Hill's sentence by striking one of the two section 12022.53, subdivision (d) enhancements of 25 years to life. The court is also directed to amend the abstract of judgment accordingly, and forward a copy to the Department of Corrections and Rehabilitation. As modified, judgment is affirmed. Huffman, Acting P.J.; We Concur: Haller, J., McDonald, J.
- D056698 Troope v. Superior Court of San Diego County/People**
The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 11, 2010 (Continued)

Court convened at 9:00 a.m.

Present: The Honorable Judith McConnell, Presiding Justice and
The Honorable Associate Justices Judith Haller and Alex McDonald
Clerk: D. Moore

D053952 People v. Senhamphan

Cause called on merits. Carl Fabian, Esq. argued for appellant.
Theodore Michael Corpley, Deputy Attorney General, argued for respondent.
Mr. Fabian replied. Cause submitted.

Court recessed at 9:25 a.m. to change panel members.

New panel members: The Honorable Richard Huffman, Acting Justice, and
The Honorable Associate Justices Judith Haller and Alex McDonald

D054877 Nomil, Inc. v. M.R. Contreras Construction, Inc., et al.

Cause called on merits. Steven Christopher Levstik, Esq. argued for appellant.
Kenneth Stone, Esq. argued for respondent. Mr. Levstik replied. Cause submitted.

Court recessed at 9:36 a.m. to change panel members.

New panel members: The Honorable Judith Haller, Acting Presiding Justice, and
The Honorable Associate Justices Alex McDonald and Cynthia Aaron

D055366 City of San Diego v. MJB Research, LLC/Superior Court

Cause called on merits. Timothy Andrew Pupach, Esq. argued for appellant.
Kristine P. Nesthus, Esq. argued for real party in interest and respondent.
Mr. Pupach replied. Cause submitted.

Court recessed at 9:57 a.m. to change panel members.

New panel members: The Honorable Judith Haller, Acting Presiding Justice, and
The Honorable Associate Justices Alex McDonald and James McIntyre

D055399 In re E. S. et al., Juveniles

Cause called on merits. Matthew I. Thue, Esq. argued for appellant,
J.G. Neil Trop, Esq. argued for the minor, E.S. Valerie Lankford, Esq. argued for
the minor, A.S. Amanda Benedict, Esq. argued for the minor, L.S. Gary Seiser,
Deputy County Counsel, argued for respondent. Mr. Thue replied. Cause
submitted.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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DIVISION ONE

March 11, 2010 (Continued)

Court recessed at 10:30 a.m. until 1:30 p.m.

Court reconvened at 1:30 p.m.

Present: The Honorable Patricia Benke, Acting Presiding Justice, and
The Honorable Associate Justices James McIntyre and Joan Irion

Clerk: D. Moore

D054671 People v. Nunez

Cause called on merits. Cynthia Diane Jones, Esq. argued for appellant. Stacy Alicia Tyler, Deputy Attorney General, argued for respondent. Ms. Jones replied. Cause submitted.

D053864) Cauchon et al. v. Forest River, Inc.

D054433) Cauchon et al. v. Forest River, Inc.

Cause called on merits. Cheryl A. Orr, Esq. argued for appellant. John Gregory Derrick, Esq. argued for respondent. Ms. Orr replied. Cause submitted.

D053345) MHC Financing Limited Partnership Two v. City of Santee

D054298) City of Santee v. MHC Financing Limited Partnership Two

Cause called on merits. David J. Bradford, Esq. argued for appellant. James Bell Gilpin, Esq. argued for respondent. Mr. Bradford replied. Cause submitted.

Court recessed at 3:05 p.m. until Friday, March 12, 2010 at 9:00 a.m.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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DIVISION ONE
March 12, 2010

- D054431 People v. Kiser**
The judgment of the trial court is affirmed.
Aaron, J.; We Concur: McConnell, P.J., Haller, J.
- D055509 People v. Machesky**
The judgment is affirmed.
McIntyre, J.; We Concur: Huffman, Acting P.J., McDonald, J.
- D055749 In re Genevieve C. et al., Juveniles**
The orders are affirmed.
Huffman, J.; We Concur: Benke, Acting P.J., McDonald, J.
- D056474 In re Rudy R., a Juvenile**
The appeal is dismissed. Aaron, J.; We Concur: McConnell, P.J., Benke, J.
- D055583 Composite Technology Corporation v. Brittsan**
The order denying the motion to strike is affirmed.
Irion, J.; We Concur: McConnell, P.J., Aaron, J.
- D056158 People v. Reamer**
The judgment is affirmed.
Benke, Acting P.J.; We Concur: Huffman, J., McDonald, J.
- D056745 In re Duran on Habeas Corpus**
The petition is denied.
- Court convened at 9:00 a.m.
- Present: The Honorable Patricia Benke, Acting Presiding Justice, and
 The Honorable Associate Justices Gilbert Nares and Judith Haller
- Clerk: D. Moore
- D054503 In re Marriage of C and J Martin**
Cause called on merits. Cynthia Emidio argued for appellant in pro per.
Richard LeRoy Manwaring, Esq. argued for respondent. Ms. Emidio replied.
Cause submitted.

Court recessed at 9:32 a.m. to change panel members.

New panel members: The Honorable Patricia Benke, Acting Presiding Justice, and
 The Honorable Associate Justices Judith Haller and Joan Irion

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 12, 2010 (Continued)

D054241 Mataele v. Mataele

Cause called on merits. ‘Isileli Tupou Mana’ia Mataele argued for appellant in pro per. Ashley Brittain Mataele argued for respondent in pro per. Mr. Mataele replied. Cause submitted.

Court recessed at 10:01 a.m.

Court reconvened at 1:30 p.m.

Present: The Honorable Judith McConnell, Presiding Justice, and
 The Honorable Associate Justices Alex McDonald and Cynthia Aaron
Clerk: D. Moore

D054861 People v. Crawford

Cause called on merits. Christian Buckley, Esq. argued for appellant. Marcella Ordorica McLaughlin, Deputy Attorney General, argued for respondent. Mr. Buckley replied. Cause submitted.

D054560 Sanchez et al. v. San Diego County Office of Education et al.

Cause called on merits. Charles A. Viviano, Esq. argued for appellant. Paul Carelli, Esq. argued for respondent. Mr. Viviano replied. Cause submitted.

Court recessed at 1:58 p.m. to change panel members.

New panel members: The Honorable Richard Huffman, Acting Presiding Justice, and
 The Honorable Associate Justices Alex McDonald and Cynthia Aaron

D054430 Monti v. City of San Diego et al.

Cause called on merits. John Monti argued for appellant in pro per. Donald F. Shanahan, Esq. argued for respondent. Mr. Monti replied. Cause submitted.

D052612 Coast Intelligen, Inc. v. Lesse

Cause called on merits. Ellen R. Peck, Esq. argued for respondent, Rafflesberger. Frank Tobin, Esq. argued for appellant, Coast Intelligen and Lesser. Scott L. Metzger, Esq. argued for respondent, Rafflesberger. Mr. Tobin replied. Ms. Peck replied. Cause submitted.

Court adjourned at 2:48 p.m.